

EXHIBIT 4

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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF UTAH

OL PRIVATE COUNSEL,) Deposition of OL PRIVATE
LLC, a Utah limited) COUNSEL, LLC through:
liability company,)
Plaintiff,) Thomas Olson
Case No.
vs.) 2:21-CV-00455-DBB
EPHRAIM OLSON, an) Judge: David Barlow
individual,)
Magistrate Judge:
Defendant.) Daphne A. Oberg

REMOTE PROCEEDING VIA ZOOM

March 27, 2024 * 3:00 p.m.

Reporter: Diana Kent, RPR, CRR
Notary Public in and for the State of Utah

Thomas Olson - March 27, 2024

<p>1 APPEARANCES</p> <p>2 FOR THE PLAINTIFF:</p> <p>3 David J. Jordan</p> <p>4 David Mortensen</p> <p>5 FOLEY & LARDNER, LLP</p> <p>6 Attorney at Law</p> <p>7 95 South State Street</p> <p>8 Suite 2500</p> <p>9 Salt Lake City, Utah 84111</p> <p>10 Tel: (801) 401-8900</p> <p>11 djordan@foley.com</p> <p>12 dmortensen@foley.com</p> <p>13</p> <p>14 FOR THE DEFENDANT:</p> <p>15 Sarah C. Vaughn</p> <p>16 FABIAN VANCOTT</p> <p>17 Attorney at Law</p> <p>18 95 South State Street</p> <p>19 Suite 2300</p> <p>20 Salt Lake City, Utah 84111</p> <p>21 Tel: (801) 531-8900</p> <p>22 svaughn@fabianvancott.com</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 2</p>	<p>1 PROCEEDINGS</p> <p>2</p> <p>3 Thomas Olson,</p> <p>4 called as a witness, being first duly sworn,</p> <p>5 was examined and testified as follows:</p> <p>6</p> <p>7 EXAMINATION</p> <p>8 BY MS. VAUGHN:</p> <p>9 Q. Mr. Olson, I am Sarah Vaughn and I</p> <p>10 represent your son, Ephraim Olson, in this litigation.</p> <p>11 Tell me what you did to prepare -- let me back up. You</p> <p>12 understand you are here today to testify on behalf of</p> <p>13 OLPC, correct?</p> <p>14 A. Yes.</p> <p>15 Q. What did you do to prepare to testify on</p> <p>16 behalf of OLPC today?</p> <p>17 A. I spoke with Joshua Olson, Hyrum Olson,</p> <p>18 Narong, Crucial Logics; I met with David Jordan and</p> <p>19 Dave Mortensen; I reviewed the judge's order; and</p> <p>20 reviewed Exhibit 1 and reviewed parts of my previous</p> <p>21 transcript.</p> <p>22 Q. When did you speak with Joshua?</p> <p>23 A. I have spoken with him several times, as</p> <p>24 late as yesterday, but several times over the last few</p> <p>25 weeks.</p> <p>Page 4</p>
<p>1 INDEX</p> <p>2 THOMAS OLSON PAGE</p> <p>3 Examination By Ms. Vaughn 4</p> <p>4</p> <p>5 EXHIBITS</p> <p>6 NUMBER DESCRIPTION PAGE</p> <p>7 Exhibit 10 February 27, 2019 e-mail thread 33</p> <p>8 re: SAL Audit Email, with</p> <p>9 attachments</p> <p>10 Exhibit 11 Plaintiff OL Private Counsel, 35</p> <p>11 LLC's Second Supplemental</p> <p>12 Response to Defendant's First and</p> <p>13 Second Set of Discovery Requests</p> <p>14 Exhibit 59 Information from Tim 7</p> <p>15 Akarapanich's mobile phone,</p> <p>16 produced by IDC forensic experts</p> <p>17 Exhibit 60 Logs regarding Tim Akarapanich's 10</p> <p>18 e-mail, produced by IDC forensic</p> <p>19 experts</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 3</p>	<p>1 Q. Several times in anticipation of this</p> <p>2 deposition, or several times in general?</p> <p>3 A. Several times in anticipation of this</p> <p>4 deposition.</p> <p>5 Q. Okay. And what about Hyrum?</p> <p>6 A. The same. I spoke with him several times</p> <p>7 in connection with preparing for this deposition.</p> <p>8 Q. And remind me, what is Narong's position?</p> <p>9 Who does he work for?</p> <p>10 A. He is -- Narong works for ITCL.</p> <p>11 Q. And what is his position there?</p> <p>12 A. He works with IT.</p> <p>13 Q. Okay. When did you speak to Narong?</p> <p>14 A. Multiple times, but as recently as, I</p> <p>15 believe, three days ago.</p> <p>16 Q. You also said you spoke to Crucial Logics.</p> <p>17 Is it "Crucial Logistics" or "Crucial Logics"?</p> <p>18 A. Crucial Logics.</p> <p>19 Q. Okay. And when did you speak to them?</p> <p>20 A. On several occasions.</p> <p>21 Q. As recently as when?</p> <p>22 A. A couple of days ago.</p> <p>23 Q. And who did you speak with there? What</p> <p>24 was their name?</p> <p>25 A. Amol Joshi.</p> <p>Page 5</p>

<p>1 me know if I'm going too fast. It's talking about 2 standard access lists to the server. And then we 3 have -- let me see if I can rotate it. There we go. 4 It's my recollection from the prior deposition that 5 Volta is a company that houses the server; is that 6 correct? 7 A. Yes. 8 Q. Okay. And this document was a security 9 access list from the year 2018, with Ephraim Olson 10 having at least three levels of access. Do you see 11 that? It's right here. Ephraim's access. 12 A. When you say "authority" -- sorry. He 13 clearly was listed as a list owner, portal user, and 14 fast track user. 15 Q. Yeah. And my only question goes to, in 16 your last deposition I asked you if this document had 17 ever been updated and you didn't know. Do you know 18 today if this security access list has ever been 19 updated to remove Ephraim's access? 20 MR. JORDAN: Beyond the scope. 21 You can answer. 22 A. Yes, it has been updated. 23 Q. Do you know when it was updated? 24 A. It's updated periodically, so it's been 25 updated several times.</p> <p style="text-align: right;">Page 34</p>	<p>1 Q. And the category, where does that 2 information come from? 3 A. It came from knowledge of the role of the 4 people, plus it was the position to which we hired 5 people. 6 Q. Okay. The start date, where did that come 7 from? 8 A. From the payroll records. Primarily from 9 payroll records. Primarily it comes from the payroll 10 records. 11 Q. Okay. So for Ephraim it just says, "Prior 12 to January 1, 2018." Do you know why it's not more 13 specific there? 14 MR. JORDAN: Objection. Calls for legal 15 conclusion. 16 Counsel, you know that's the start date 17 that the Court provided in its order. 18 MS. VAUGHN: Oh, no, I didn't have that on 19 top of my mind. I'll trust you, though, on that one, 20 David. 21 Q. (By Ms. Vaughn) Okay. The end date, the 22 next column over, where does that come from? 23 A. A combination of payroll records and 24 Hyrum's and Joshua's best recollection of when the 25 access was terminated.</p> <p style="text-align: right;">Page 36</p>
<p>1 Q. Okay. We will look at Exhibit 11 to your 2 first deposition. 3 Okay. These are OLPC's Responses to 4 Written Discovery. And what we care about, what I care 5 about today is this document at the end. 6 Do you recognize this document, Mr. Olson? 7 A. Yes. 8 Q. Do you know who helped prepare this 9 document? 10 A. Yes. 11 Q. Who was it? 12 A. This was Jaturong Chuithong and Joshua 13 Olson, with input from others. 14 Q. And do you know the source material from 15 the information in this document? 16 A. Yes. 17 Q. Let's go down to what I really care about 18 here. Here we have "Ephraim Olson." Do you see 19 "Ephraim" right here, Mr. Olson? This line? 20 A. Yes. 21 Q. Okay. And then we can look back up at 22 columns. So the column for entity, where does the 23 information for that entity data come from? 24 A. That came from just knowledge of who had 25 engaged the person, and from payroll records.</p> <p style="text-align: right;">Page 35</p>	<p>1 Q. Okay. So for Ephraim it states September 2 1, 2019. Where does that information come from? 3 A. From payroll records and from Hyrum and 4 Joshua's best recollection of when the access was 5 terminated on Ephraim's account. 6 Q. Okay. Are there no other records besides 7 Hyrum's and Joshua's memory as to when an individual's 8 access to the server is cut off? 9 MR. JORDAN: Objection. Mischaracterizes 10 the witness's testimony. 11 A. Generally it is related to the date of 12 termination of employment. 13 Q. Okay. 14 A. But, for example, if I get terminated from 15 Fabian, just by virtue of my termination it's not going 16 to end my access to various, you know, electronic 17 things. IT has to go in and do that. So that's what 18 I'm referencing. Just because you stop paying them 19 doesn't mean their access to various servers is cut 20 off, correct? 21 MR. JORDAN: Objection. Incomplete 22 hypothetical. Calls for speculation. 23 A. The mere fact that -- the answer is no. 24 Sorry. Repeat the question. 25 Q. Okay.</p> <p style="text-align: right;">Page 37</p>

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<p>1 A. If you're asking me if the mere fact of</p> <p>2 not sending a paycheck is sufficient to cut off access,</p> <p>3 the answer is no, that's not sufficient.</p> <p>4 Q. Okay.</p> <p>5 A. By itself.</p> <p>6 Q. What is the process to cut off an</p> <p>7 employee's access to OLPC's server?</p> <p>8 A. Someone in the IT department will, upon</p> <p>9 termination, will go in and cut off access.</p> <p>10 Q. Okay.</p> <p>11 A. That's the process.</p> <p>12 Q. Okay. And now you're telling me that the</p> <p>13 information in this column, in this document, comes</p> <p>14 from payroll records and Joshua's and Hyrum's best</p> <p>15 memory; is that correct?</p> <p>16 A. Well, as I said, primarily it's off</p> <p>17 payroll records.</p> <p>18 Q. Okay.</p> <p>19 A. And for Ephraim, I believe the payroll</p> <p>20 actually goes a bit beyond September 1st, but he was no</p> <p>21 longer providing services after September 1st and the</p> <p>22 decision was taken to remove his access at that time.</p> <p>23 Q. Okay. And other than Hyrum's and Joshua's</p> <p>24 memory, are there any documents that establish that</p> <p>25 Ephraim's access was terminated on September 1, 2019?</p> <p style="text-align: right;">Page 38</p>	<p>1 server?</p> <p>2 A. Narong believes that he -- Narong does not</p> <p>3 have an explicit recollection of it, but he believes</p> <p>4 that he did it, but does not have a specific</p> <p>5 recollection.</p> <p>6 Q. Okay. So in other words, there are no</p> <p>7 documents to back up this May 15, 2020 date terminating</p> <p>8 Tim A's access to the server?</p> <p>9 A. OLPC is not aware of any documents that</p> <p>10 would confirm that Tim's access was cut off. That's</p> <p>11 correct.</p> <p>12 Q. In your last deposition, when I asked you</p> <p>13 the source material for the columns in this document</p> <p>14 that we're looking at, you said it came "off the</p> <p>15 computer record." Now, today, do you know what those</p> <p>16 computer records were, or do you think you misspoke in</p> <p>17 your prior deposition?</p> <p>18 A. No. The computer records are our payroll</p> <p>19 records. They are computerized.</p> <p>20 Q. Okay.</p> <p>21 A. As I said, there was also personal</p> <p>22 knowledge in the case of Ephraim. They reviewed the</p> <p>23 payroll records and if there was anything different</p> <p>24 than the actual payroll final day, as I explained</p> <p>25 before.</p> <p style="text-align: right;">Page 40</p>
<p>1 A. OLPC is not aware of any documents that</p> <p>2 would document his access change or remove his access</p> <p>3 on September 1.</p> <p>4 Q. Same for Tim A. He is just a few lines</p> <p>5 down. It says his access ended May 15, 2020. Do you</p> <p>6 see that?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. Is that also a best guess based off</p> <p>9 of payroll records and Hyrum's and Joshua's memory?</p> <p>10 MR. JORDAN: Objection. Mischaracterizes</p> <p>11 the document. Mischaracterizes the -- argumentative by</p> <p>12 counsel.</p> <p>13 A. Tim was terminated or Tim resigned on the</p> <p>14 14th, and his access was removed on the 14th. But</p> <p>15 that's North American time. Sorry. His access was</p> <p>16 removed late on the 14th. So on the 15th his access</p> <p>17 was gone. He no longer had access on the 15th.</p> <p>18 Q. Okay. And what is that statement based</p> <p>19 off of? What information supports that statement?</p> <p>20 A. That was based on the practice of going in</p> <p>21 to remove people's access when they finish on their</p> <p>22 final day of working for the firm, and discussions with</p> <p>23 Narong and Joshua.</p> <p>24 Q. Okay. Do either Narong or Joshua have an</p> <p>25 explicit memory of removing Tim A's access to the</p> <p style="text-align: right;">Page 39</p>	<p>1 Q. Okay. So the computer records are just</p> <p>2 the payroll records, correct?</p> <p>3 A. Yes.</p> <p>4 Q. Okay. And on the last column it says</p> <p>5 everyone has "access to client files on matters for</p> <p>6 which the individual was performing services." Do you</p> <p>7 see that?</p> <p>8 A. Yes.</p> <p>9 Q. What is the source material for that</p> <p>10 statement?</p> <p>11 A. The source material is that management</p> <p>12 limited access to remote servers based on what the</p> <p>13 person was doing and their need to access files.</p> <p>14 Q. So this document that we're looking at, is</p> <p>15 this only access to the remote server, or is it also</p> <p>16 access to the exchange server and the controller</p> <p>17 domain?</p> <p>18 A. This is -- well, everyone has access to</p> <p>19 their own e-mail account. In some cases, someone else</p> <p>20 is granted access to someone's e-mail account. But</p> <p>21 everybody has access to their own e-mail account. The</p> <p>22 remote server contains client files, and access to the</p> <p>23 client files is dependent on the nature of the work</p> <p>24 being done by the person, by the staff member.</p> <p>25 Q. So this document that we are looking at,</p> <p style="text-align: right;">Page 41</p>

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1 Q. Okay. Where did you deliver it to Tim?
 2 A. In the boardroom of ITCL.
 3 Q. I'd like to just take a quick break, and
 4 then I think we might be done.
 5 (Break taken from 4:24 to 4:27 p.m.)
 6 Q. Just a few quick questions. Looking again
 7 at Exhibit 59, you said this data comes from Tim's
 8 mobile phone. When did OLPC obtain a copy of this
 9 document?
 10 A. I believe on Monday. I believe it was on
 11 Monday this week.
 12 Q. Okay. He did produce it to us on Monday.
 13 I'm wondering when OLPC got it. Do you know that,
 14 Mr. Olson?
 15 A. OLPC didn't get -- OLPC did not get this
 16 independent to counsel, and I believe that counsel -- I
 17 think it was Monday that OLPC saw this document. It
 18 might have been Friday last, but I believe it was
 19 Monday last, I believe. Very recently, though. In the
 20 last few days.
 21 Q. Okay. And is this all the data from Tim
 22 A's phone or is it a specific subset of data; do you
 23 know?
 24 A. Can you scroll down for me, please?
 25 Well, the answer is OLPC doesn't know what

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1 this is, actually. All the stuff in it, I don't know
 2 that.
 3 Q. Okay. And then the same with Exhibit 60;
 4 do you know when OLPC obtained a copy of this document?
 5 A. It's the same. OLPC did not receive a
 6 copy of this. It went to counsel. I think OLPC saw
 7 this document within the last few days. Very recently.
 8 Q. Okay. Those are all the questions I have.
 9 Thank you very much, Mr. Olson.
 10 MR. JORDAN: I have no questions at this
 11 time.
 12 We will read and sign.
 13 (The deposition concluded at 4:30 p.m.)
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1 REPORTER'S CERTIFICATE
 2
 3 STATE OF UTAH)
 4) ss.
 5 COUNTY OF SALT LAKE)
 6
 7 I, Diana Kent, Registered Professional
 8 Reporter and Notary Public in and for the State of
 9 Utah, do hereby certify:
 10 That prior to being examined, the witness,
 11 Thomas Olson for OL Private Counsel, LLC, was by me
 12 duly sworn to tell the truth, the whole truth, and
 13 nothing but the truth;
 14
 15 That said deposition was taken down by me
 16 in stenotype on March 27, 2024, at the place therein
 17 named, and was thereafter transcribed and that a true
 18 and correct transcription of said testimony is set
 19 forth in the preceding pages;
 20
 21 I further certify that, in accordance with
 22 Rule 30(e), a request having been made to review the
 23 transcript, a reading copy was sent to David J. Jordan
 24 for the witness to read and sign, and the original
 25 transcript will be prepared for delivery to the court.
 26
 27 I further certify that I am not kin or
 28 otherwise associated with any of the parties to said
 29 cause of action and that I am not interested in the
 30 outcome thereof.
 31 WITNESS MY HAND AND OFFICIAL SEAL this
 32 28th day of March, 2024.
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Diana Kent
 Diana Kent, RPR, CRR
 Notary Public
 Residing in Salt Lake County

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1 David J. Jordan
 2 djordan@foley.com
 3 April 1st, 2024
 4 RE:OL Private Counsel, LLC v. Olson, Ephraim
 5 3/27/2024, Thomas Olson (#6596270)
 6 The above-referenced transcript is available for
 7 review.
 8 Within the applicable timeframe, the witness should
 9 read the testimony to verify its accuracy. If there are
 10 any changes, the witness should note those with the
 11 reason, on the attached Errata Sheet.
 12 The witness should sign the Acknowledgment of
 13 Deponent and Errata and return to the deposing attorney.
 14 Copies should be sent to all counsel, and to Veritext at
 15 (Calendar-utah@veritext.com).
 16 Return completed errata within 28 days from
 17 receipt of testimony.
 18 If the witness fails to do so within the time
 19 allotted, the transcript may be used as if signed.
 20
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 22 Yours,
 23 Veritext Legal Solutions
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